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SERVICE DATE - APRIL 11, 2001

DO

FR-4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Docket No. AB-33 (Sub-No. 169X)]

Union Pacific Railroad Company--Abandonment Exemption--in Marion and Polk
Counties, OR

[STB Docket No. AB-6 (Sub-No. 389X)]

The Burlington Northern and Santa Fe Railway Company--Discontinuance of Service
Exemption--in Marion and Polk Counties, OR

Union Pacific Railroad Company (UP) and The Burlington Northern and Santa Fe
Railway Company (BNSF) have filed a notice of exemption under 49 CFR 1152 Subpart
F--Exempt Abandonments and Discontinuances of Service for UP to abandon and BNSF
to discontinue service over a 0.76-mile line of railroad known as the Dallas Branch from
milepost 719.74 to milepost 720.50 in Salem, Marion and Polk Counties, OR. The line
traverses United States Postal Service Zip Codes 97301 and 97304.

UP and BNSF have certified that: (1) no local traffic has moved over the line for
at least 2 years; (2) there is no overhead traffic moving over the line; (3) no formal
complaint filed by a user of rail service on the line (or by a state or local government
entity acting on behalf of such user) regarding cessation of service over the line either is
pending with the Surface Transportation Board (Board) or with any U.S. District Court or
has been decided in favor of complainant within the 2-year period; and (4) the

requirements at 49 CFR 1105.7 (environmental reports), 49 CFR 1105.8 (historic reports), 49 CFR 1105.11 (transmittal letter), 49 CFR 1105.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to this exemption, any employee adversely affected by the abandonment or discontinuance shall be protected under Oregon Short Line R. Co.--Abandonment--Goshen, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed. Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on May 11, 2001, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,¹ formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),² and trail use/rail banking requests under 49 CFR 1152.29 must be filed by April 23, 2001. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by May 2, 2001, with: Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, N.W., Washington, DC 20423.

¹ The Board will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Board's Section of Environmental Analysis (SEA) in its independent investigation) cannot be made before the exemption's effective date. See Exemption of Out-of-Service Rail Lines, 5 I.C.C.2d 377 (1989). Any request for a stay should be filed as soon as possible so that the Board may take appropriate action before the exemption's effective date.

² Each offer of financial assistance must be accompanied by the filing fee, which currently is set at \$1000. See 49 CFR 1002.2(f)(25).

A copy of any petition filed with the Board should be sent to applicants' representatives: James P. Gatlin, General Attorney, Union Pacific Railroad Company, 1416 Dodge Street, Room 830, Omaha, NE 68179; and Sarah Whitley Bailiff, Senior General Attorney, The Burlington Northern and Santa Fe Railway Company, 2500 Lou Menk Drive, P.O. Box 961039, Fort Worth, TX 76161-0039.

If the verified notice contains false or misleading information, the exemption is void ab initio.

UP has filed an environmental report which addresses the abandonment's effects, if any, on the environment or historic resources. SEA will issue an environmental assessment (EA) by April 16, 2001. Interested persons may obtain a copy of the EA by writing to SEA (Room 500, Surface Transportation Board, Washington, DC 20423) or by calling SEA, at (202) 565-1545. Comments on environmental and historic preservation matters must be filed within 15 days after the EA becomes available to the public.

Environmental, historic preservation, public use, or trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

Pursuant to the provisions of 49 CFR 1152.29(e)(2), UP shall file a notice of consummation with the Board to signify that it has exercised the authority granted and fully abandoned the line. If consummation has not been effected by UP's filing of a notice of consummation by April 11, 2002, and there are no legal or regulatory barriers to consummation, the authority to abandon will automatically expire.

STB Docket No. AB-33 (Sub-No. 169X) et al.

Board decisions and notices are available on our website at
“WWW.STB.DOT.GOV.”

Decided: April 3, 2001.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams

Secretary